Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF APRIL 19, 2006

TO:

PLANNING COMMISSION

FROM:

DEBORAH WOLDRUFF, AICP, DIRECTOR,

COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT:

PRECISE PLAN OF DESIGN (PPD) NO. 06-04 & VARIANCE (VAR) No. 06-02

SUMMARY

A proposal to construct a new 2,976 square-foot, two-story duplex on an existing vacant parcel located at 24590 University Avenue. The applicant is also requesting approval of a variance to waive the guest parking and rear-yard setback requirements.

The project is located in the Redevelopment Project Area and a Development Agreement is required to address the Agency's affordable housing requirements. (See Attachment A, Site Location Map)

RECOMMENDATION

Staff recommends that the Planning Commission approve Precise Plan Design (PPD) No. 06-04 and Variance (VAR) No. 06-02 based on the Findings and subject to the attached Conditions of Approval (Attachment B).

PERTINENT DATA

Property Owner/Applicant:

Ms. Joelle Osias

General Plan/Zoning:

High Density Residential/Two Family Residence (R-2) and

Multiple-Family Residence (R-3)

Site:

A 0.16-acre rectangular site

Topography:

Flat

Vegetation:

Vacant with natural vegetation

Special Features:

N/A

BACKGROUND AND EXISTING SETTING

Background

A similar project of size and density was previously reviewed and approved by the Planning Commission on June 22, 2005 under a different applicant, Mr. George Sumney. The new application was submitted to the Community Development Department on February 22, 2006. The applicant and staff worked together to reestablish the new architectural style from the previous approval. On March 20, 2006 the Administrative Review Committee reviewed and forwarded a recommendation to approve the project and the variance requests.

On April 4, 2006 the applicant submitted a variance request to deviate from the parking requirement. In addition, Loma Linda Municipal Code (LLMC) Chapter 17.38 requires a minimum rear yard set back of 15 feet plus an additional 5 feet for each additional story above a one-story structure. Therefore, the minimum rear yard setback required for this proposed project is 20 feet. The proposed plans provide for a rear yard setback of 17 feet, 11 inches.

Existing Setting

The 0.16-acre (7,150 square-foot) lot is located at 24590 University Avenue, on the north side of the street between Evans Street and San Juan Drive. The surrounding area is predominantly developed with a mix of residential uses that date back to the early-to-mid 1920's.

Currently, the project site is surrounded by either single-family or multi-family residential developments. All of the properties in proximity to this project are either zoned R-2 (Two-family) or R-3 (Multi-Family Residence). Properties to the south and west are developed with residential uses with the exception of an existing legal non-conforming commercial use (Café Society) that is located south of the project site. Properties to the north and east are also developed into residential uses.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The construction of the new duplex is exempt from CEQA pursuant to the CEQA Guidelines § 15303(b), which provides a Class 3 Categorical Exemption for new construction of up to six dwelling units in urbanized areas.

ANALYSIS

Project Description

The proposed project is a two-story duplex multi-family development on approximately 7,150 square-foot property. The site plan indicates that an adequately landscaped area will be provided to the rear of the property and along the front yard setback area. The units are designed to allow vehicular access via a single shared driveway from University Avenue to individual, two car garages. The pedestrian access is provided in two different ways. One is to enter from the driveway side (side door) adjacent to the garages and another is through the

gated walkway on the west side of the property. The west side of the property also provides a private gated courtyard and patio area for individual use. The walkway continues to the north (rear yard) to access the back yard area. The two-story structure will have a lot coverage of approximately 27.5% with rear and front landscaped yard areas.

Based on the parking requirements for multi-family dwellings (as prescribed in LLMC Chapter 17.24.060), two additional spaces are required for guest parking on the site. However, due to the previously recorded lot configuration and proposed 1,488 square-foot individual building areas for each unit, the project cannot meet the minimum parking standards. In addition, the R-3 (Multiple Family Residence) zones prohibit parking in the rear-yard set back area (LLMC Chapter 17.38.090). Therefore, the applicant has requested a variance to waive the requirement for guest parking.

The variance will also address the rear-yard set back requirement as stated in LLMC Chapter 17.38.090, "the minimum required rear-yard setback is fifteen feet with an additional five feet for each additional story above a one-story structure". Therefore, the rear-yard setback required for the proposed project should be a minimum of twenty feet. The project plans indicates a rear-yard set back at 17 feet, 11 inches, a deficiency of 2 foot 1 inches.

Zoning Determination

As indicated, the project site is split in half by the R-2 and R-3 zones with the division line running from north to south. The western half of the site is in the R-2 zone and the eastern half is in the R-3. LLMC §17.04.080, *Zone boundaries—On undeveloped property,* provides direction for split-zone situations and requires that the areas for each of the two zones be scaled out and the requirements of the zone with the most area shall prevail. In this instance, the division is equal and as such, staff made the determination that the R-3 zone and requirements would prevail because the R-3 is more consistent with both the existing and Draft General Plans for the subject property. In addition, the R-2 zone will likely be eliminated as part of the update to the Development Code. The concept of R-2 (or duplex) zoning is out-dated and no longer used be many cities because the requirements can be incorporated into an R-3 or other type of multi-family residential zoning.

Architecture Analysis

The current architectural style of the surrounding neighborhood is mixed traditional with structures dating to the early-to-mid 1920's. The applicant proposes a "California-style" architecture with accents that enhance a more modern contemporary design. Stone veneers will accent the proposed front (south elevation) and side (east elevation) exteriors of the building. Warm earth tones and a brown composition tile roof compliment the style of the structure.

The new duplex structure will have a combined area of 2,976 square-foot and a total of four (4) enclosed parking spaces (two per each unit). The floor plan indicates that the two-story unit will provide a living room, dining room, kitchen, and a half-bathroom downstairs and three-bedrooms and two and three-quarter bathrooms upstairs. The units have an open floor plan

that yields approximately 1,500 square-feet of living space per unit. Each unit will have a balcony off of the master bedroom and a downstairs picnic and private yard area.

Precise Plan of Design (PPD) Findings

According to LLMC Section 17.30.290, Precise Plan of Design, Application Procedure, PPD applications shall be processed using the procedure for a variance (as outlined in LLMC Section 17.30.030 through 17.30.060) but excluding the grounds (or findings). As such, no specific findings are required. However, LLMC Section 17.30.280, states the following:

"If a PPD would substantially depreciate property values in the vicinity or would unreasonably interfere with the use or enjoyment of property in the vicinity by the occupants thereof for lawful purposes or would adversely affect the public peace, health, safety or general welfare to a degree greater than that generally permitted by this title, such plan shall be rejected or shall be so modified or conditioned before adoption as to remove the said objections."

The project is consistent with the existing and Draft General Plan Land Use designations and in compliance with the "R-3" Zone, which permits multi-family residential uses, and related uses [pursuant to Loma Linda Municipal Code]. The proposed multi-family residential use is compatible with the existing and future land uses in the surrounding area.

Findings for Variance Request

1. That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.

The project site is a previously recorded lot with dimensions of 55 feet by 130 feet. The width of the lot is narrow and does constrain how the site can be developed.

Additionally, the Loma Linda Municipal Code (LLMC) Chapter 17.24, indicates that the proposed project requires 1.5 parking spaces per unit for the first bedroom (one must be enclosed) with 0.5 parking spaces per each additional bedroom and shall provide 0.25 parking spaces per each bedroom for guest parking. The proposal requires a total of 6.5 parking spaces including two (2) enclosed parking garages and four and one-half (4.5) parking spaces, including one and one-half guest parking spaces. The applicant is providing four (4) enclosed parking spaces and no open parking spaces. The Loma Linda Municipal Code (LLMC Chapter 17.38.090) states that parking within the rear-yard setback area is not permitted. Therefore, if the parking spaces are not permitted within the rear-yard setback area the project is deficient 2.5 total parking spaces, thereby creating an extraordinary circumstance to meet the parking regulations.

Several multi-family developments that were approved and built prior to 1920s (adjacent to the project site) do not meet the city's current parking criteria. If the strict interpretation of the parking regulations is applied to this project, the project would require a reduction in total livable square footage.

Additionally, the variance is also requested to address a deficiency in the rear-yard setback requirement for an R-3 (Multi-Family Residence) zone requiring a minimum rear-yard setback of 15 feet and an additional 5 feet for each story above a one-story structure. The proposed project requires a 20-foot rear-yard setback area. The proposed plans provide for a 17 foot 11 inch setback, a 2 foot 1 inch deficient. Again, strict interpretation would require a reduction in the livable square footage.

2. That such variance is necessary for the preservation and enjoyment of the substantial property rights possessed by other properties in the same vicinity and zone and denied to the property in question.

The project is surrounded by older (prior to the 1920's) single- and multi-family residential developments with zoning designation of R-2 (Two-Family Residence) and R-3 (Multi-Family Residence). Most of the properties in the area predate the incorporation of the City and the adoption of the Loma Linda Municipal Code, which requires additional designated guest parking and larger rear yard set backs for multi-family residences. The majority of the adjacent properties are absent of guest parking and do not meet the current, minimum setback requirements. Therefore, if the strict interpretation of the parking and rear-yard setback regulations are applied, the property owner would be deprived of the rights and privileges enjoyed by other property owners in the vicinity and same zone.

3. The granting of such a variance will not be materially detrimental to the public welfare or injurious to the property or improvements to such vicinity and zone in which the property is located.

Granting of this variance request to reduce the parking and rear-yard setback requirements will not be detrimental to the public welfare, or injurious to the property or improvements; rather, it will provide consistency with the existing neighborhood and provide opportunity to meet the City's affordable housing needs (Redevelopment Project Area). The site is a long and narrow and was previously recorded with a 55 feet by 130 feet configuration. With this configuration, there are limited opportunities to construct a project that can meet Code requirements and complement the surrounding neighborhood. Upon strict application of the Code, the project site has a buildable area of 35 feet by 90 feet (3,150 sq. ft.). The applicant is proposing to provide 463 square-feet of livable space per unit over the minimum requirement (1,025 sq. ft.) for a three bedroom (approximately thirty-one percent).

4. The granting of such variances will be consistent with the general plan for the City.

This variance request is consistent with the existing and Draft General Plans for the City to provide housing opportunities to the residents and to maintain the consistency with the existing neighborhood and its layout. The property is zoned R-3 (Multi-Family Residence) and the proposed duplex is permitted within the General Plan designation.

5. That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.

The public hearing before the Planning Commission will meet the requirements stipulated for the Variance review and approval process.

CONCLUSION

All elements of the project are consistent with the existing and draft General Plan including the R-3 zoning regulations (pending variance approval). The applicant has worked closely with the Planning staff and has made every possible effort to provide the most appropriate layout, design, and architecture for this project.

The development of the site will remain consistent with the surrounding properties even without the designated guest parking spaces. It will also provide a site and building design that is consistent with the surrounding uses. The project is located in the Redevelopment Project Area and a Development Agreement is required to address the Agency's affordable housing requirements.

The project is eligible for Class 3 Categorical Exemption from CEQA pursuant to the CEQA Guidelines Section 15303(b).

Respectfully submitted,

lie Lomoureuf

Julie Lamoureux Planning Intern

ATTACHMENTS

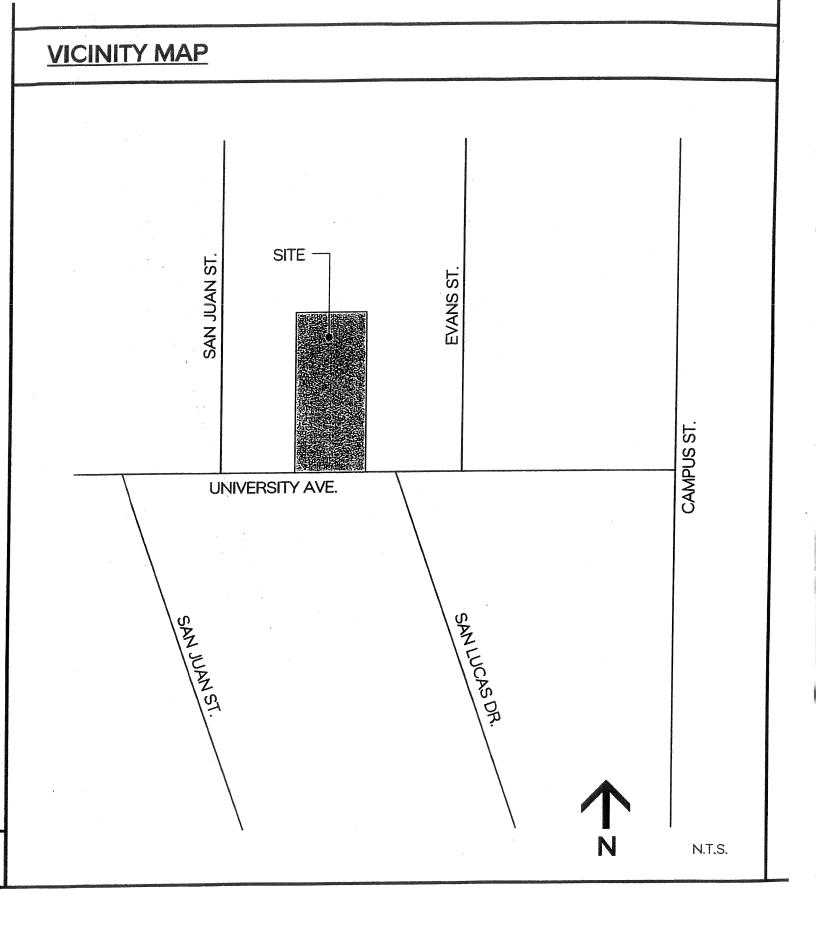
A. Site Location Map

B. Conditions of Approval

C. Project Plans

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SITE LOCATION MAP



24590 UNIVERSITY AVENUE

CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL PRECISE PLAN OF DESIGN (PPD) NO. 06-04 APRIL 19, 2006

COMMUNITY DEVELOPMENT DEPARTMENT

General

1. Within one year of this approval, the Precise Plan of Design shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.

PROJECT:

EXPIRATION DATE:

Precise Plan of Design (PPD) No. 06-04

April 19, 2007

- 2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
- 3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys' fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fence and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme: and.
 - d. A reduction in density or intensity of a developmental project.

- 5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions, and performance standards imposed on the intended use by this permit.
- This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases, and noise control; odor control; screening; signs, off-street parking and off-street transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
- 7. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to the sensitive receptors on-site and in the surrounding neighborhoods, construction activities shall be further restricted to cease between the hours of 6:00 p.m. to 7:00 a.m.
- 8. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generating fugitive dust, which will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure spray bars on all processing equipment are in good operating condition;
 - c. Apply water or soil stabilizers to form curst on inactive construction areas and unpaved work areas;
 - d. Suspend grading activities when wind gusts exceed 25 mph;
 - e. Sweep public paved roads if visible soil material is carried off-site;
 - f. Enforce on-site speed limits on unpaved surface to 15 mph; and,
 - g. Discontinue construction activities during Stage 1 smog episodes.
- 9. The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic to all outlets in each unit of the development (including custom single-family residences). Plans for the

location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.

- 10. To meet the City's affordable housing requirement, the project is subject to an approved Development Agreement between the applicant and the City of Loma Linda Redevelopment Agency. No construction or building permits shall be issued pending the approval of the Development Agreement.
- 11. All construction activities shall cease if historic and/or archaeological resources are discovered during grading and/or excavation and removal of the existing foundation materials until a qualified archaeologist is called to the site to complete an evaluation of site and said resources.

FIRE DEPARTMENT

- 12. All construction shall meet the requirements of the editions of the Uniform Building Code (UBC) and the Uniform Fire Code (UFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 13. Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, and UFC Section 1003.2.2.3, as amended in LLMC Section 15.28.250, all new buildings and additions shall be equipped with automatic fire sprinkler systems meeting the requirements of UBC Standard No. 9-1 (NFPA 13). Systems shall be supplied by the existing on-site water system. Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler system shall be submitted to Fire Prevention for review and approval prior to installation.
- 14. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City Manager's Executive Order.

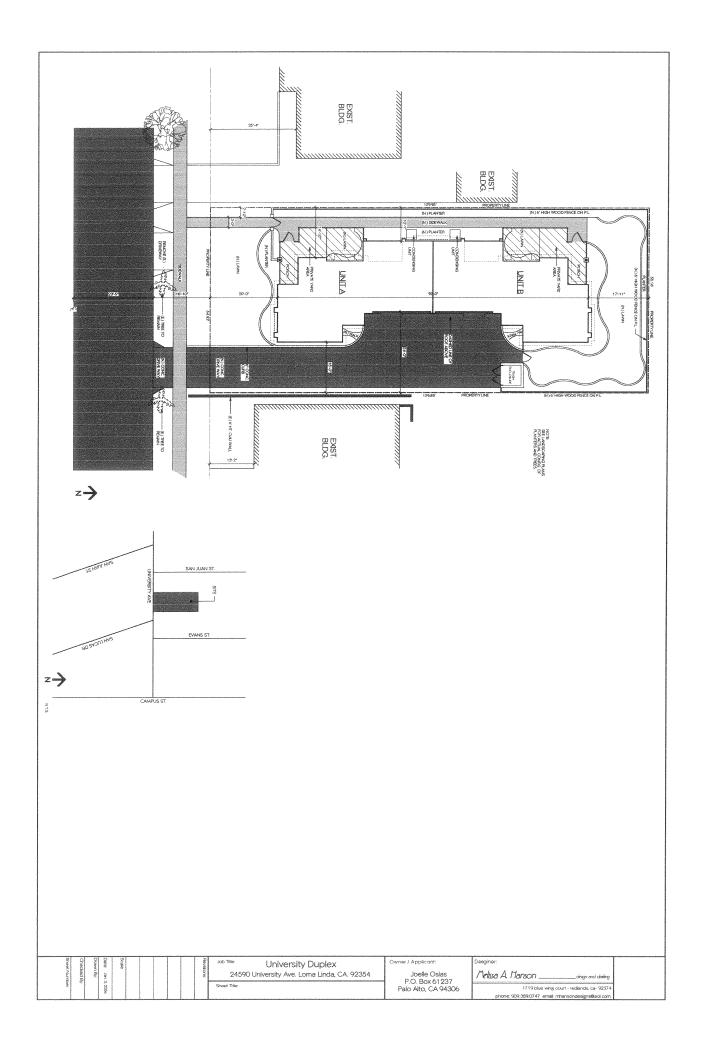
PUBLIC WORKS

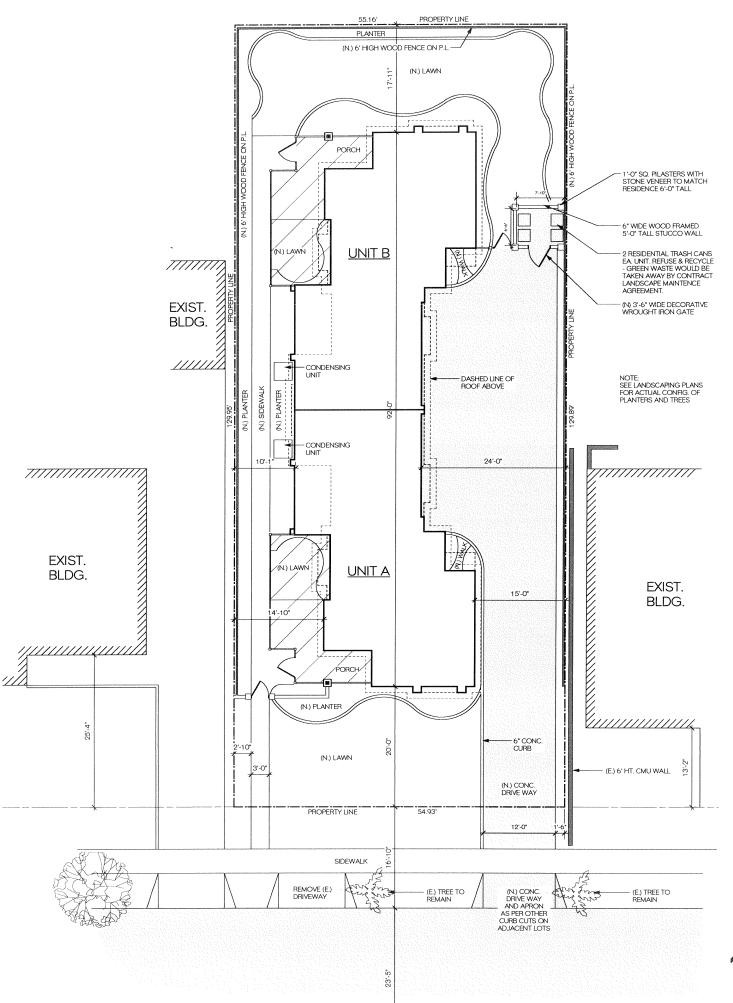
- 15. Submit an engineered grading plan for proposed project.
- 16. All utilities shall be underground. The City of Loma Linda shall be the water and sewer purveyor.

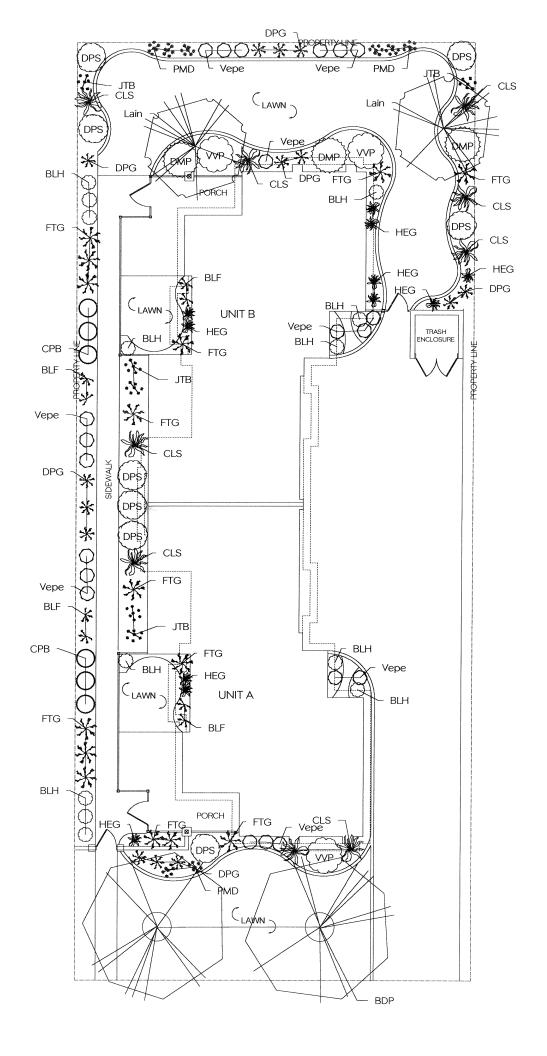
- 17. All public improvement plans shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Public Safety Department.
- 18. Per the City of Loma Linda recycling policy, the project proponent shall incorporate interior and exterior storage areas for recyclables.
- 19. The project proponent shall comply with City adopted policies regarding the reduction of construction and demolition (C & D) materials.
- 20. NPDES Best Management Practice standards shall be incorporated into grading, erosion control and improvement plans and followed during construction. Proper grading and erosion control procedures shall be followed to prevent sedimentation and damage to off-site property. Permanent erosion control facilities or slope plantings may be required to control runoff and debris flowing downstream.
- 21. Construct full street improvements (including, but not limited to curb and gutter, asphalt concrete pavement, sidewalk, and one drive approach).
- 22. Repair all sidewalks, curb and gutter, drive approach and street improvements damaged as a result of the construction.
- 23. Backflow protection shall be installed in accordance with Public Works Department requirements. A double check valve shall be required if a booster pump is installed or a fire sprinkler system is installed.
- 24. Driveway approach too close to property line. City of Loma Linda standards require a three foot full height curb to be provided between approaches and property line.

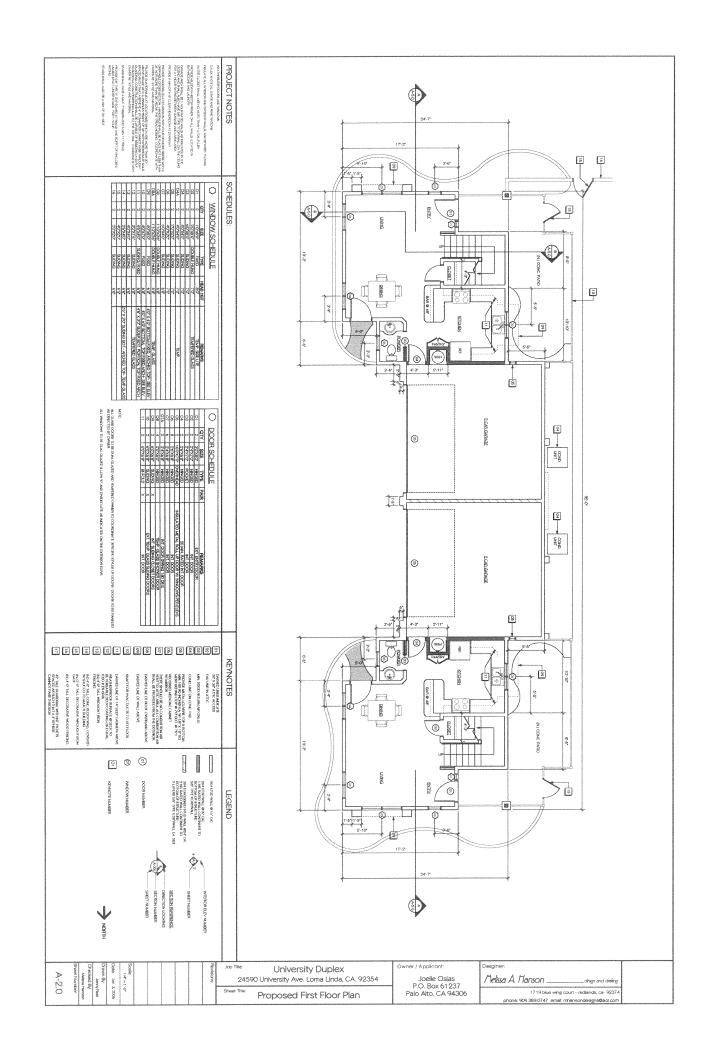
End of Conditions

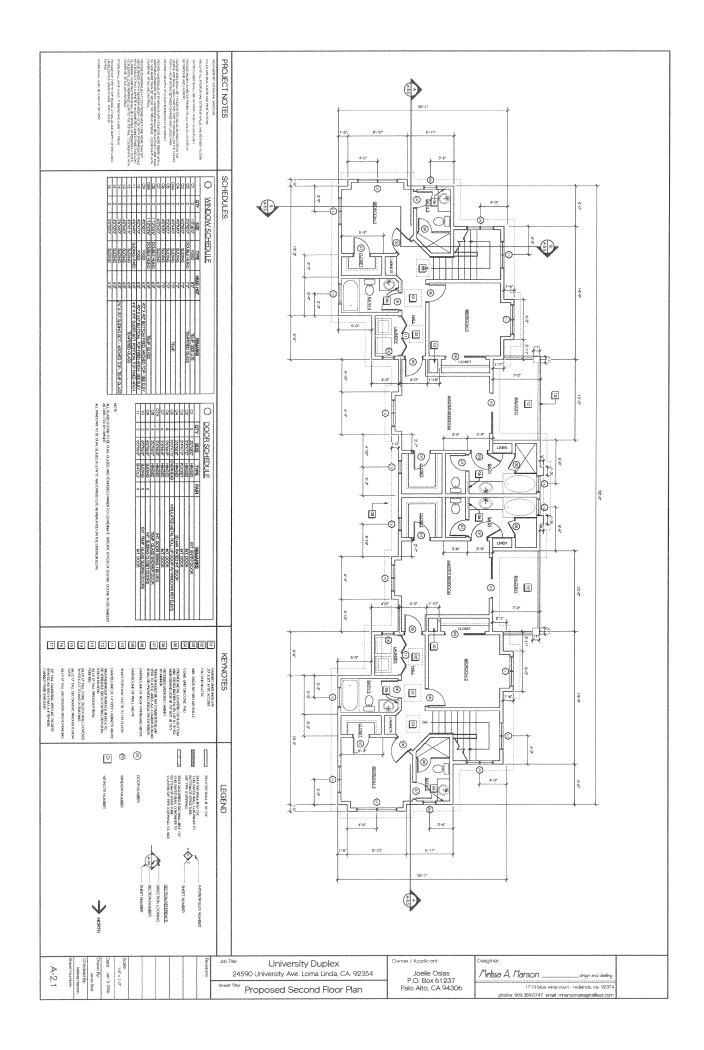
PROJECT PLANS

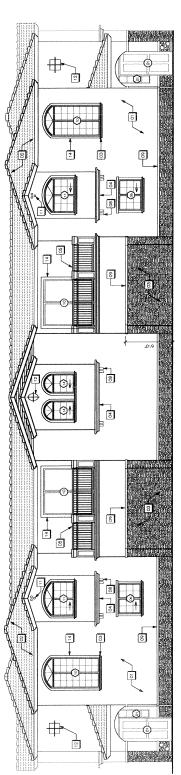




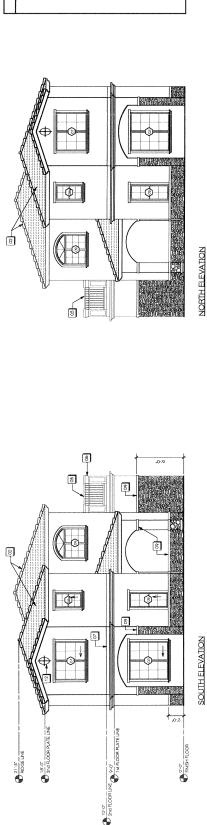


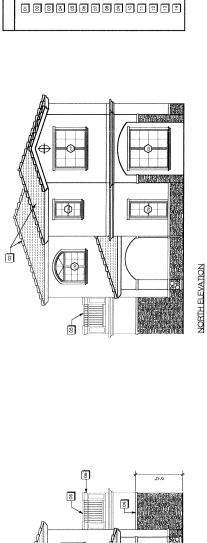




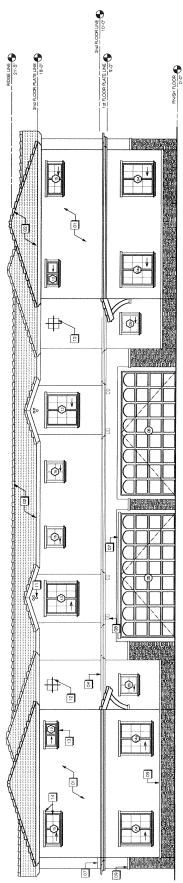


WEST ELEVATION





6' X 2" WDE FLAT DECORATIVE FOAM MOULDING- STUCCO OVER 12" TALL DECORATIVE FOAM BRACKETS-STUCCO OVER "WIDE X.2" THICK FLAT DECORATIVE OAM: STUCCO OVER



EAST ELEVATION